

I certify that the attached is a true and
correct copy of N.B. 2186 which
was filed of record on APR 6 1979
and referred to the committee on
Environmental Affairs
Betty Murray
Chief Clerk of the House

FILED
APR 6 1979

By Rainz

91 B. No. 2186

A BILL TO BE ENTITLED

AN ACT

relating to the approval of the Commissioners Court of Hays County
of hunting and fishing regulations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 61.202(d), Parks and Wildlife Code, as
amended, is amended to read as follows:

(d)(1) If the commissioners court of Bandera, Coke,
Crockett, Dimmit, Edwards, Frio, Grayson, [~~Hays~~] Kinney, Lampasas,
Medina, Reagan, Robertson, Sutton, Val Verde, or Zavala county
disapproves a proclamation, the taking of wildlife resources in the
county is governed by the previous year's proclamation. After
disapproval of a proclamation, no public hearing on a similar
proposed proclamation may be held within six months of the
disapproval, unless the commissioners court certifies to the
commission that there has occurred a material change in the
surrounding circumstances which requires a public hearing before
the end of the six-month period.

(2) If the commissioners court of Gillespie, Hays,
Kerr, Kimble, Llano, Mason, Menard, Real, San Saba, Schleicher, or
Uvalde county disapproves a proclamation, or part of a
proclamation, the taking of wildlife resources in the county is
governed either by the general law of this state or by the
proclamations of the prior year, to be determined by order of the
commissioners court, until such time as the commissioners court

1 approves of subsequent proclamations of the commission. If the
2 commissioners court fails to designate either the general law or
3 the proclamations for the prior year, the law or proclamation in
4 effect for the prior year continues in effect. After disapproval
5 of a proclamation, no public hearing on a similar proposed
6 proclamation may be held within six months of the disapproval,
7 unless the commissioners court certifies to the commission that
8 there has occurred a material change in the surrounding
9 circumstances which requires a public hearing before the end of the
10 six-month period.

11 SECTION 2. The importance of this legislation and the
12 crowded condition of the calendars in both houses create an
13 emergency and an imperative public necessity that the
14 constitutional rule requiring bills to be read on three several
15 days in each house be suspended, and this rule is hereby suspended,
16 and that this Act take effect and be in force from and after its
17 passage, and it is so enacted.

THE STATE OF TEXAS }
County of Hays: }

Before me, the undersigned, holding the office of Notary Public in and

for Hays County, Texas, personally appeared Harvey Shephard,
who states under oath that he is the publisher of the San Marcos Record, a weekly newspaper
which has been regularly and continuously published in San Marcos, Hays County, Texas, for a
period of more than one year immediately preceding the date of publication of this notice and
that the Notice by Publication hereto attached was published in the regular edition of said news-

One (1) Time

paper for a period of _____ on the following dates

March 4 1979,

197____,

197____,

197____, a printed clipping of said notice being hereto attached.

The said publisher further states that the rate charged for this publication is the lowest rate
charged commercial advertisers for the same class of advertising for a like amount of space.

(Signed)

Harvey Shephard
Publisher

Subscribed and sworn to before me this

19th

day of

March 19 79

Louis Le Greville
Notary Public
Hays Co. Texas

Legal Notices

1

Leg

Legal con't.
fishing regulations.

DON RAINS
STATE REPRESENTATIVE
45th DISTRICT

Pursuant to Article 3, Section
57 of the Constitution of the
State of Texas, notice is hereby
given that Don Rains shall
apply to the 1979 Regular
Session of the 66th Legislature
of the State of Texas for the
passage of a local law relating
to jurisdiction of the County
Courth of Law of Hays County.

DON RAINS
STATE REPRESENTATIVE
45th DISTRICT

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Special Notices

2

HOUSE COMMITTEE REPORT

1st. Printing

By Rains

H.B. No. 2186

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COMMITTEE REPORT

The Honorable Bill Clayton
Speaker of the House of Representatives

April 25, 1979
(date)

Sir:

We, your COMMITTEE ON ENVIRONMENTAL AFFAIRS, to whom was referred ^{HB} 2186, have had the same under consideration and beg to report back with the recommendation that it (measure)

- (X) do pass, without amendment.
- () do pass, with amendment(s).
- () do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.

A fiscal note was requested on April 10, 1979 and is attached as part of this report. no fiscal implications.
(date)

Author's fiscal statement attached.

The Committee recommends that this measure be placed on the (Local / Consent) Calendar.

This measure () proposes new law.
(X) amends existing law.

House Sponsor of Senate Measure _____

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Bock, Ch.	X			
Smith, V.C.	X			
Agnich, V.C.A.			X	
Allee	X			
Bird				X
Clark, Jerry	X			
Collazo	X			
Robnett	X			
Sullivant				X
Von Dohlen	X			
Watson	X			

Total:
8 aye
0 nay
1 present, not voting
2 absent

Bock
CHAIRMAN
Reynolds
COMMITTEE COORDINATOR

By: Rains

BILL ANALYSISBackground

Currently, Section 61.202(d)(1), Parks and Wildlife Code, gives Hays County Commissioners' Court the authority to disapprove a proclamation made by the Parks and Wildlife Commission. In the event that this occurs, the taking of wildlife resources in the county is governed by the proclamation made in the previous year. Hays County would prefer to have the option of being governed either by the general laws of the state or a previous proclamation concerning wildlife resources, should the Commissioners' Court disapprove a Parks and Wildlife proclamation.

What the Bill Proposes to Do

To allow Hays County to be governed by the general laws of the this state in regard to the taking of wildlife resources should the Commissioners' Court disapprove a proclamation made by the Parks and Wildlife Commission.

Section by Section Analysis

Section 1: Amends Section 61.202, Parks and Wildlife Code, by removing Hays County from subsection (d)(1) and replacing it in subsection (d)(2), giving Hays County the authority to disapprove a Parks and Wildlife Commission proclamation and instead be governed by the general laws of the state.

Section 2: Emergency clause.

Rulemaking Authority

It is the committee's opinion that this bill does not delegate rulemaking authority to a state officer, agency, department or institution.

Summary of Committee Action

The bill was referred to the Local Game Laws Subcommittee consisting of the following members: Jerry Clark, Chairman; Bennie Bock and Ron Bird.

A public hearing was held on April 24, 1979. The measure was reported without amendments.

On April 25, 1979, the full committee voted to report HB 2186 to the House with the recommendation that it do pass and be placed on the Local Calendar by a record vote of 8 ayes and 0 nays.

ENGROSSED
THIRD READING

By Rains

H.B. No. 2186

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COMMITTEE REPORT FORM

18
5-~~7~~-79

Austin, Texas

Date of report to Senate

Honorable William P. Hobby
President of the Senate

Sir:

We, your Committee on Intergovernmental Relations to which was referred
H B. No. 2186 have had the same under consideration, and I am instructed to report it back to the Senate
with the recommendation that it do _____ pass _____ and be printed.


Chairman

Paper clip the original and one copy of this form to the original bill and retain one copy for your file.

F

ENROLLED

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17 passage, and it is so enacted.

H.B. No. 2186

President of the Senate

Speaker of the House

I certify that H.B. No. 2186 was passed by the House on May 4, 1979, by a non-record vote.

Chief Clerk of the House

I certify that H.B. No. 2186 was passed by the Senate on May 24, 1979, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor

PROCLAMATION

BY THE

Governor of the State of Texas

41-1739

TO ALL TO WHOM THESE PRESENTS SHALL COME:

LEGISLATIVE REFERENCE LIBRARY
P. O. BOX 12488-CAPITOL STATION
AUSTIN, TEXAS 78711

June 13, 1979

JUN 21 1979

Pursuant to Article IV, Section 14 of the Constitution of Texas, I hereby veto House Bill 2186 because of the following objections:

House Bill 2186 gives Hays County essentially the same rights of veto power as Comal County sought and received notwithstanding the objections of the governor to veto proclamations of the Parks and Wildlife Commission. As stated in my objections to the Comal County bill I feel we should have a uniform wildlife regulation throughout the state. To allow counties to opt in and out and take certain provisions and not others destroys uniformity. Parks and Wildlife Commission has biologists and game management specialists that county commissioners do not have. Therefore, I veto House Bill 2186.

Respectfully,


William P. Clements, Jr.
Governor

H. B. No. 2186

By Rains

A BILL TO BE ENTITLED

AN ACT

relating to the approval of the Commissioners Court of Hays County of
hunting and fishing regulations.

APR 6 1979

1. Filed with the Chief Clerk.

APR 9 1979

2. Read first time and Referred to Committee on

Environmental Affairs

APR 25 1979

3. Reported favorably (as amended) and sent to Printer at 2:20 p. M.
~~unfavorably~~ (as substituted) (time)

APR 26 1979

APR 26 1979

4. Printed and distributed at 4:18 p. M.
(time)

APR 26 1979

5. Sent to Committee on Calendars at 4:42 p. M.
(time)

MAY 1 1979

6. Read second time (amended); passed to third reading (failed) by (Non-Record Vote)
(Record Vote of _____ yeas, _____ nays, _____ present, not voting).

7. Motion to reconsider and table the vote by which H. B. _____ was ordered
engrossed prevailed (failed) by a (Non-Record Vote) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

8. Constitutional Rule requiring bills to be read on three several days suspended (failed
to suspend) by a four-fifths vote of _____ yeas, _____ nays, and _____
present, not voting.

MAY 4 1979

9. Read third time (amended); finally passed (failed) by (Non-Record Vote) (Record Vote
of _____ yeas, _____ nays, _____ present, not voting).

10. Caption ordered amended to conform to body of bill.

11. Motion to reconsider and table the vote by which H. B. _____ was finally passed
prevailed (failed) by a (Non-Record) (Record Vote of _____ yeas,
_____ nays, and _____ present, not voting).

MAY 4 1979

12. Ordered Engrossed at 10:31 A. M.
(time)

MAY 4 1979

13. Engrossed.

MAY 4 1979

14. Returned to Chief Clerk at 1:20 P. M.
(time)

MAY - 7 1979

15. Sent to Senate.

Berty Murray
Chief Clerk of the House

MAY 7 1979

16. Received from the House

MAY 8 1979

17. Read, referred to Committee on INTERGOVERNMENTAL RELATIONS

MAY 22 1979

18. Reported favorably

19. Reported adversely, with favorable Committee Substitute; Committee Substitute read
first time.

MAY 22 1979

20. Ordered not printed.

21. Regular order of business suspended by

(a viva voce vote.)
(_____ yeas, _____ nays.)

22. To permit consideration, reading and passage, Senate and Constitutional Rules suspended by vote of _____ yeas, _____ nays.

MAY 24 1979

23. Read second time. *Failed before Senate*
passed on third reading by _____ yeas, _____ nays.

24. Caption ordered amended to conform to body of bill.

MAY 24 1979

25. Senate and Constitutional 3-Day Rules suspended by vote of 31 yeas, 0 nays to place bill on third reading and final passage.

MAY 24 1979

26. Read third time and passed by

(a viva voce vote.)

(31 yeas, 0 nays.)

OTHER ACTION:

OTHER ACTION:

Long King

May 27 1979

27. Returned to the House.

MAY 24 1979

28. Received from the Senate (with amendments).

29. House (Concurred) (Refused to Concur) in Senate Amendments by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, _____ present, not voting).

30. Conference Committee Ordered.

31. Conference Committee Report Adopted (Rejected) by a (Non-Record Vote) (Record Vote of _____ yeas, _____ nays, and _____ present, not voting).

MAY 24 1979

32. Ordered Enrolled at 5:16 P.M.
(time)

APR 26 PM 4:18

OF REPRESENTATIVES

Long King

158